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Section #3

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Rev. 10/95

U.S. Department of Commerce
Patent and Trademark Office

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/815,573
Filing Date	March 22, 2001
First Named Inventor	Hector F. DeLuca
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	1256-00721

Total Number of pages in this Submission

9

Enclosures (check all that apply)

- ☒ Fee Transmittal Form
- ☒ Fee Attached
- ☐ Amendment/Response
- ☐ After final
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement/PTO-1449
- ☐ Certified Copy of Priority Document(s)
- ☒ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts Under 37.1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Checklist and Accompanying Petition
- ☐ To Convert a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Terminal Disclaimer

- ☐ After Allowance Communication To Group
- ☐ Appeal Communication to Board Of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (Please identify below)

Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name: Thomas M. Wozny, Reg. No. 28,922
ANDRUS, SCEALES, STARKE & SAWALL, LLP
100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202

Signature

Thomas M. Wozny

Date

May 24, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:
May 24, 2001

Typed or printed name

Dorothy A. Hauser

Signature

Dorothy A. Hauser



PTO/SB/17

FEE TRANSMITTAL

Total Amount of Payment (\$)**130.00**

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

Deposit
Account
Name

01.2000

ANDRUS, SCEALES, STARKE & SAWALL, LLP

- ☒ Charge any additional fee required under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee set in 37 CFR 1.18 at the Mailing of the Notice of Allowance. 37 CFR 1.311(b)

2. ☒ Payment Enclosed:

☒ Check ☐ Money Order ☐ Other

FEE CALCULATION (fees effective 10/01/96)

1. FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101	710	201 355	Utility filing fee
106	320	206 160	Design filing fee
107	490	207 245	Plant filing fee
108	710	208 355	Reissue filing fee
114	150	214 75	Provisional filing fee

SUBTOTAL (1) (\$)

2. CLAIMS

	Fee	From below	Fee Paid
Total claims	-	= X	=
Independent Claims	-	= X	=
Multiple Dependent Claims	-	= X	=

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
103	18	203 9	Claims in excess of 20
102	80	202 40	Independent claims in excess of 3
104	270	204 135	Multiple dependent claim
109	80	209 40	Reissue independent claims over original patent
110	18	210 9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

COMPLETE IF KNOWN

Application Number	09/815,573
Filing Date	March 22, 2001
First Named Inventor	Hector F. DeLuca
Group Art Unit	1614
Examiner Name	
Attorney Docket Number	1256-00721

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath
127	50	227 25	Surcharge - late provisional filing fee or cover sheet
139	130	139 130	Non-English specification
147	2,520	147 2,520	For filing a request for examination
112	920*	112 920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action
115	110	215 55	Extension for response within first month
116	380	216 190	Extension for response within second month
117	870	217 435	Extension for response within third month
118	1,360	218 680	Extension for response within fourth month
128	1,850	228 925	Extension for response within fifth month
119	300	218 150	Notice of Appeal
120	300	220 150	Filing a brief in support of an appeal
121	260	221 130	Request for oral hearing
138	1,510	138 1,510	Petition to institute a public use proceeding
140	110	240 55	Petition to revive unavoidably abandoned application
141	1,210	241 605	Petition to revive unintentionally abandoned application
142	1,240	242 620	Utility issue fee (or reissue)
143	440	243 220	Design issue fee
144	580	244 290	Plant issue fee
122	130	122 130	Petitions to the Commissioner
123	50	123 50	Petitions related to provisional applications
126	240	126 240	Submission of Information Disclos. Stmt.
591	40	591 40	Recording each patent assignment per property (times number of properties)
146	710	246 355	Filing a submission after final rejection (37 CFR 1.29(a))
149	710	249 355	For each additional invention to be examined (37 CFR 1.129(b))

Other fee (specify)

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$130.00**

SUBMITTED BY

Typed or
Printed Name

Thomas M. Wozny

Signature

Thomas M. Wozny

Date

5-24-01

Complete (if applicable)

Registration Number

28,922

Deposit Account User ID



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Hector F. DeLuca et al

Application No. 09/815,573


Filed: March 22, 2001

Group Art Unit: 1614

INCREASING PHOSPHORUS
UPTAKE FROM THE GUT OF DAIRY
COWS BY SUPPLEMENTING 1 α -
HYDROXYLATED VITAMIN D
COMPOUNDS

CERTIFICATE OF MAILING

) I hereby certify that this correspondence is
) being deposited with the United States Postal
) Service with sufficient postage as first class
) mail in an envelope addressed to:
) Commissioner of Patents, Washington, D.C.
) 20231, on this 24th day of May, 2001.

) 
) Dorothy A. Hauser May 24, 2001
) Date

TRANSMISSION OF EXECUTED DECLARATION

Attention: Box Missing Parts - Fee
Commissioner for Patents
Washington, D.C. 20231

Sir:

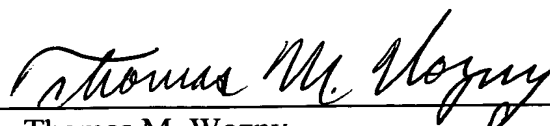
Responsive to the "Notice to File Missing Parts of Nonprovisional Application", mailed May 8, 2001, copy attached, enclosed for filing in the above application is the executed Declaration.

A check in the amount of \$130.00 is attached for the surcharge.

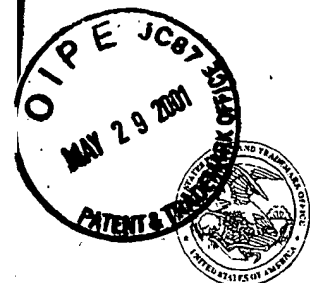
The Commissioner is hereby authorized to charge any additional fees in accordance with 37 C.F.R. 1.16(e) to Deposit Account No. 01.2000. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By 
Thomas M. Wozny
Reg. No. 28,922

Andrus, Scales, Starke & Sawall, LLP
100 East Wisconsin Avenue, Suite 1100
Milwaukee, WI 53202
(414) 271-7590
Attorney Docket No.: 1256-00721



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/815,573	03/22/2001	Hector F. DeLuca	1256-00721

CONFIRMATION NO. 9707

FORMALITIES LETTER



OC000000006053374

Thomas M. Wozny
ANDRUS, SCEALES, STARKE & SAWALL, LLP
Suite 1100
100 East Wisconsin Avenue
Milwaukee, WI 53202-4178

Date Mailed: 05/08/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/31/2001 HDANTE1 00000022 09815573

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130.00 OP